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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/604,608	08/04/2003	Scott H. Mills	SBC 0122 PA	1607
60533	7590	10/05/2006	EXAMINER	
TOLER SCHAFFER, LLP 5000 PLAZA ON THE LAKES SUITE 265 AUSTIN, TX 78746			HONEYCUTT, KRISTINA B	
			ART UNIT	PAPER NUMBER
			2178	

DATE MAILED: 10/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/604,608

Applicant(s)

MILLS ET AL.

Examiner

Kristina B. Honeycutt

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 August 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4,6-10,12-14 and 16-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4,6-10,12-14 and 16-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is responsive to the Request for Continued Examination filed August 29, 2006.

This action is made **Final**.

2. Claims 1, 2, 4, 6-10, 12-14, 16-22 are pending in the case. Claims 3 and 15 have been cancelled. Claims 21 and 22 have been added. Claims 1, 10 and 12 are independent claims.

3. The rejections of Claims 1-4, 6-8, 10, 12-14, 16, 17 and 20 under 35 U.S.C. 103(a) as being unpatentable over Koss (U.S. Patent 5272628; date of patent December 21, 1993; filed April 16, 1990) in view of Lowry (U.S. Pub. No. 20020042859; publication date April 11, 2002; filed May 4, 2001; provisional application filed October 6, 2000) have been withdrawn as necessitated by the amendment.

4. The rejection of Claim 9 under 35 U.S.C. 103(a) as being unpatentable over Koss in view of Lowry in further view of Dittrich et al. (U.S. Pub. No. 20020083016; publication date June 27, 2002; filed December 22, 2000) has been withdrawn as necessitated by the amendment.

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5. The rejection of Claim 15 under 35 U.S.C. 103(a) as being unpatentable over Koss in view of Lowry in further view of Worden (U.S. Pub. No. 20030149934; publication date August 7, 2003; filed May 11, 2001) has been withdrawn as necessitated by the amendment.

6 The rejection of Claim 18 under 35 U.S.C. 103(a) as being unpatentable over Koss in view of Lowry in further view of Reed et al. (U.S. Patent 5396587; date of patent March 7, 1995; filed April 11, 1990) has been withdrawn as necessitated by the amendment.

7. The rejection of Claim 19 under 35 U.S.C. 103(a) as being unpatentable over Koss in view of Lowry in further view of Anson (U.S. Pub. No. 20030061193; publication date March 27, 2003; filed September 24, 2001) has been withdrawn as necessitated by the amendment.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1, 2, 4, 6-10, 12-14, 16, 17 and 20-22 are rejected under 35 U.S.C. 102(b) as being anticipated by Koss (U.S. Patent 5272628; date of patent December 21, 1993; filed April 16, 1990).

Regarding independent claim 1, Koss discloses receiving a selection of a plurality of spreadsheets via a graphical control panel (Figures 2, 3; col. 1, lines 59-64; col. 2, lines 64-67; col. 3, lines 1-2, 11-15, 25-38; col. 4, lines 1-15) since Koss teaches selecting a plurality of source tables and the source tables being combined into a destination spreadsheet so the selections have been received. Furthermore, a graphical control panel must be present in order for the user to select the source tables.

Koss further discloses receiving, via the graphical control panel, a selection of portions of data from files corresponding to each of said plurality of spreadsheets (Figures 2, 3; col. 1, lines 59-64; col. 3, lines 11-15, 25-38; col. 4, lines 1-15) since Koss teaches a plurality of source tables being selected and categories of the tables being specified by a user for aggregation. Koss further teaches specific fields being specified by a user for aggregating in the destination spreadsheet and an aggregated spreadsheet 302 being created based on the specified fields so the selections have been received and a graphical control panel must be present in order for the user to select the categories and fields.

Koss further discloses retrieving said portions of data (Figures 2, 3; col. 3, lines 25-38) since portions of data are retrieved.

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Koss further discloses generating at least one final report spreadsheet (Figures 2, 3; col. 3, lines 11-15, 25-38) since a destination spreadsheet is generated.

Koss further discloses appending said portions of data to said at least one final report spreadsheet (Figure 2; col. 2, lines 64-67; col. 3, lines 1-2, 11-15) since Koss teaches the portions are appended to the destination spreadsheet.

Koss further discloses appending information identifying sources of portions of data to said at least one final report spreadsheet (col. 1, lines 59-67; col. 2, lines 1-8; col. 4, lines 60-67; col. 5, lines 1-2) since Koss teaches creating a mapping table identifying the source table location for rows and columns that are selected for aggregation into a destination spreadsheet. Since Koss teaches a user selecting tables to be combined into a destination spreadsheet and the user further selecting portions of the tables to be appended to the destination spreadsheet, the user could select the source table location cells in the mapping table to be appended to the destination spreadsheet.

Regarding dependent claim 2, Koss discloses a method as in claim 1 further comprising receiving a selection of at least one workbook (col. 1, lines 59-64) since Koss discloses selecting a plurality of source tables that can comprise a workbook.

Regarding dependent claim 4, Koss discloses a method as in claim 1 further comprising receiving a selection of at least one worksheet (Figures 2, 3; col. 1, lines 59-

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64; col. 2, lines 64-67; col. 3, lines 1-2, 11-15, 25-38; col. 4, lines 1-15) since selections of source tables are received.

Regarding dependent claim 6, Koss discloses a method as in claim 1 wherein receiving a selection of portions of data comprises selecting at least one of rows, columns, cells, tables, filenames, workbook names, worksheet names, and spreadsheet names of at least one file corresponding to said plurality of spreadsheets (col. 4, lines 1-15) since rows and columns are selected.

Regarding dependent claim 7, Koss discloses a method as in claim 1 wherein receiving a selection of portions of data comprises searching for desired text within said plurality of spreadsheets (col. 1, lines 59-67; col. 2, lines 1-8) since spreadsheets are searched for desired portions.

Regarding dependent claim 8, Koss discloses a method as in claim 1 further comprising appending data to said at least one final report spreadsheet that is not within said plurality of spreadsheets (col. 3, lines 11-15, 25-38) since a new destination spreadsheet is created.

Regarding dependent claim 9, Koss discloses a method as in claim 1 further comprising storing a custom search, wherein the custom search enables execution of a predetermined search of one or more selected spreadsheets (col. 1, lines 59-67; col. 2,

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lines 1-8) since a predefined search is executed when categories for aggregation are automatically generated based on the categories contained within the source tables. The search is stored within the table since a destination table is created based on the search for categories to be appended to the destination table.

Regarding independent claim 10, the claim reflects the software program for performing the operations of claims 1 and 9 and is rejected along the same rationale.

Regarding independent claim 12, Koss discloses a monitor (Abstract) since a computer system is disclosed that generates an aggregated spreadsheet so a monitor would be included to display the spreadsheet.

Koss further discloses a storage device (Figure 2; col. 2, lines 64-67; col. 3, lines 1-2, 11-15, 25-38) since a destination spreadsheet is generated that stores portions of tables so a storage device is present.

Koss further discloses a controller for displaying a graphical control panel on said monitor (Abstract; Figures 2, 3; col. 1, lines 59-64) since Koss teaches a user selecting a plurality of source tables and a graphical control panel must be present in order for the user to select the source tables.

Koss further discloses a spreadsheet selection area for receiving a selection of a plurality of spreadsheets, wherein said selection includes desired portions of data (Figures 2, 3; col. 1, lines 59-64; col. 2, lines 64-67; col. 3, lines 1-2, 11-15, 25-38; col. 4, lines 1-15) since Koss teaches a plurality of source tables being selected and

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categories of the tables being specified by a user for aggregation. Koss further teaches specific fields being specified by a user for aggregating in the destination spreadsheet and an aggregated spreadsheet 302 being created based on the specified fields so the selections have been received.

Koss further discloses a custom search module for executing a predefined search to identify desired portions of data (col. 1, lines 59-67; col. 2, lines 1-8) since a predefined search is executed when categories for aggregation are automatically generated based on the categories contained within the source tables.

Koss further discloses said controller generating at least one final report spreadsheet, appending said desired portions of data to said at least one final report spreadsheet, and appending information identifying sources of said desired portions of data to said at least one final report spreadsheet (Figure 2; col. 1, lines 59-67; col. 2, lines 1-8, 64-67; col. 3, lines 1-2, 11-15; col. 4, lines 60-67; col. 5, lines 1-2) since Koss teaches the portions are appended to the destination spreadsheet. Koss further teaches creating a mapping table identifying the source table location for rows and columns that are selected for aggregation into a destination spreadsheet. Since Koss teaches a user selecting tables to be combined into a destination spreadsheet and the user further selecting portions of the tables to be appended to the destination spreadsheet, the user could select the source table location cells in the mapping table to be appended to the destination spreadsheet.

Regarding dependent claims 13 and 16, the claims reflect the multiple spreadsheet data consolidation system for performing the operations of claims 2 and 4 respectively and are rejected along the same rationale.

Regarding dependent claim 14, Koss discloses a system as in claim 13 wherein said workbook selection are comprises a select all open workbooks selection (Figure 2; col. 1, lines 59-64) since Koss discloses selecting the open source tables that can comprise a workbooks.

Regarding dependent claim 17, Koss discloses a system as in claim 16 wherein said worksheet selection area comprises a worksheet subset selector (col. 3, lines 25-38) since a subset of a worksheet is selected.

Regarding dependent claim 20, Koss discloses a system as in claim 12 further comprising at least one window for receiving a selection of said plurality of spreadsheets and said at least a portion of each of said selected plurality of spreadsheets (Abstract; Figures 2, 3; col. 1, lines 59-64; col. 2, lines 64-67; col. 3, lines 1-2, 11-15, 25-38; col. 4, lines 1-15) since spreadsheets and portions of spreadsheets are selected and a computer system is disclosed that generates an aggregated spreadsheet so a window would be included to display the spreadsheet.

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Regarding dependent claim 21, Koss discloses a method as in claim 1 further comprising storing a custom search, wherein the custom search enables execution of a predetermined search without selection of portions of data to be searched (col. 1, lines 59-67; col. 2, lines 1-8) since a predefined search is executed when categories for aggregation are automatically generated based on the categories contained within the source tables. The categories are not selected by a user when an automatic search is executed. The search is stored within the table since a destination table is created based on the search for categories to be appended to the destination table.

Regarding dependent claim 22, Koss discloses the software program as in claim 10 further comprising a custom search development procedure to allow a user to define and store custom searches for use by said custom search procedure (col. 1, lines 59-67; col. 2, lines 1-8) since a user specifies categories for aggregation and the source tables are searched for the categories to be combined in the destination spreadsheet. The search is stored within the table since a destination table is created based on the search for categories to be appended to the destination table.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Koss in view of Reed et al. (U.S. Patent 5396587; date of patent March 7, 1995; filed April 11, 1990).

Regarding dependent claim 18, Koss does not disclose a status indicator. Reed teaches a status indicator (Figure 1; col. 4, lines 21-27). It would have been obvious to one of ordinary skill in the art, having the teachings of Koss and Reed before him at the time the invention was made, to modify the system taught by Koss to include a status indicator as taught by Reed, because a status indicator, as taught by Reed (Figure 1; col. 4, lines 21-27), would allow users to quickly view the status of the consolidation.

10. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Koss in view of Anson (U.S. Pub. No. 20030061193; publication date March 27, 2003; filed September 24, 2001).

Regarding dependent claim 19, Koss teaches reporting to a user during generation of said at least one final report spreadsheet (Figure 2; col. 1, lines 59-67; col. 2, lines 1-8, 64-67; col. 3, lines 1-2, 11-15; col. 4, lines 60-67; col. 5, lines 1-2) since Koss teaches generating a destination spreadsheet that is displayed to the user. Koss does not disclose an event logger for tracking generation of at least one final spreadsheet.

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Anson teaches logging events in the system and generating a final data set using selected portions of data from original sets (Abstract; p.3, para. 32). It would have been obvious to one of ordinary skill in the art, having the teachings of Koss and Anson before him at the time the invention was made, to modify generating a destination spreadsheet as taught by Koss to include an event logger as taught by Anson, because Koss teaches creating a destination spreadsheet and reporting the spreadsheet to a user (Figure 2; col. 1, lines 59-67; col. 2, lines 1-8, 64-67; col. 3, lines 1-2, 11-15; col. 4, lines 60-67; col. 5, lines 1-2) and Anson teaches an event log of events that occur in the system which can include the creation of a final data set from selected portions of original data sets (p.3, para. 32) so the generation of the final spreadsheet of Koss could include an event logger.

Response to Arguments

11. Applicant's arguments filed August 29, 2006 with respect to claims 1, 2, 4, 6-10, 12-14, 16-22 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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- Macy, JR. et al. (U.S. Pub. No. 2004/0054879);
- Whittenberger et al. (U.S. Pub. No. 2004/0194112).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kristina B. Honeycutt whose telephone number is 571-272-4123. The examiner can normally be reached on 8:00 am - 5:00 pm Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on 571-272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


KBH


CESAR PAULA
PRIMARY EXAMINER